



"Governing with hope for justice for the victims, and with the collapse of the concept of impunity among those involved"

Paris Criminal Court 21 - 25 May 2024

Follow-up report on the ruling sessions in the Dabbagh family case

Victims;

- ✦ Patrick Abdelkader Dabbagh, a university student of Syrian and French nationality, was arrested at the age of 20 in 2013 from his home in the Mazzeh neighborhood of Damascus.
- ✦ Mazen Dabbagh, a senior educational consultant of Syrian and French nationality, was arrested at the age of 54, one day after his son Patrick, on the pretext that he did not know how to raise his son.

Plaintiffs:

- ✦ Obaida Dabbagh, Mazen's brother, residing in France and holding both Syrian and French nationalities.
- ✦ Hanan Dabbagh Al-Sharaa, Obaida's wife, holding both Syrian and French nationalities.

Civil Parties:

- ✦ The Syrian Center for Media and Freedom of Expression, represented by its general director, lawyer Mazen Darwish.
- ✦ The International Federation for Human Rights, represented by lawyer Clemence, who also represents the center and the family.
- ✦ The French League for Human Rights, represented by lawyer Bodin.

Defendants:

- Major General Ali Mamlouk, advisor to Bashar al-Assad and former head of National Security in Syria.
- Major General Jamil Hassan, head of the Air Force Intelligence Directorate in Syria.
- Major General Abdel Salam Mahmoud, head of the investigation branch in the Air Force Intelligence, located at Mazzeh Airport.



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In the Proceedings;

- On May 24, 2024, the Paris Criminal Court ruled on the case of Mazen and Patrick Dabbagh, which was brought before it based on the decision of the Investigating Judge following a judicial inquiry initiated in October 2016, and on preliminary investigations conducted by the Public Prosecution in October 2015. This case was based on the complaint filed by Obeida and Hanan Dabbagh and the documents submitted by the Syrian Center for Media and Freedom of Expression, the International Federation for Human Rights, and the French League, regarding the arrest and disappearance of Mazen and Patrick Dabbagh in Damascus by the Air Force Intelligence in November 2013.
- The War Crimes and Terrorism Unit of the French Public Prosecution concluded to initiate proceedings against three prominent leaders of the Assad regime for the committed crimes: Ali Mamlouk, Jamil Hassan, and Abdel Salam Mahmoud. Based on this, the Investigating Judge examined the case, listened to witnesses, reviewed documents, evidence, and issued arrest warrants in 2018 for the three accused. These warrants were disseminated to international police centers, and the Investigating Judge, after reviewing the case file, referred it to the Paris Criminal Court.

In the Facts of the Committed Crimes;

- In 2013, the Air Force Intelligence raided the Dabbagh family home in the Al-Mazzeh neighborhood of Damascus and took Patrick Abdelkader



Dabbagh, a 20-year-old university student in his second year, holding both Syrian and French nationalities, to the investigation branch.

- The next day, the same entity raided the house again and arrested Mazen Dabbagh, Patrick's father, on the pretext that he did not raise his son properly. Mazen worked as an educational advisor at the French school in Damascus.
- The family, now all victims of loss and anguish, spared no effort to secure their release, but all attempts failed.
- The regime compounded its violations against them by evicting Mazen's wife and daughter from their home in 2014, seizing the house and housing their tormentor in it.
- In 2018, the regime issued death certificates for Patrick from 2014 and Mazen from 2017, without handing over their bodies or revealing their burial places.

Welcoming and Appreciation;

- The Mizan Organization for Legal Studies and Human Rights attended and followed the trial sessions from May 21 to May 24, 2024, through its Executive Director, Lawyer Yasser Al-Farhan. The organization welcomes the court's decision, considering it a precedent and tangible achievement in the paths of justice, holding senior leaders of the Assad regime accountable. It provides a glimmer of hope for the victims, preserves the truth from distortion with the documents, testimonies, and evidence it contains, and sends legal and humanitarian messages opposing political normalization.
- The Mizan Organization highly appreciates the courage and determination demonstrated by Obeida and Hanan Dabbagh during their



arduous journey in search, complaint, prosecution, and testimony, which showcased the nobility of their cause. This was reflected in Obeida's statement, "We are here for justice, not revenge," and Hanan's, "We are here for all the victims in Syria."

- The organization also highly values the essential role of Lawyer Mazen Darwish and the Syrian Center for Media and Freedom of Expression team. His expert testimony displayed high professionalism that contributed to proving the command chain within the regime's structure and the systematic nature of crimes against humanity. His personal testimony as a victim revealed how the atrocities of torture, he endured increased his perseverance in defending those still missing.
- Mizan expresses the highest appreciation to the experts, witnesses, and victims' associations. They were unjustly pursued by the regime in their homeland, and they are now justly pursuing it worldwide. As Thuraya Hijazi, a member of the Truth Charter, aptly said, which we adopted as the title of our report, "We feel hope after the court's decision, and the regime's illusion of impunity is collapsing. We can succeed."
- Given the high commitment to fair trial standards observed in the court procedures and the prosecutors' and civil party representatives' pleadings,
- Considering the pleadings of the Public Prosecution and the civil parties as judicial documents that hold more weight than any narrative,

We attach to our statement both the judgment and the main points of the pleadings, concluding with a summary of conclusions and recommendations.



Judgment;

According to the concepts and the order of referral, the Criminal Court decides:

- **Conviction of the three accused for the following:**
 - Committing crimes against humanity against civilians within the framework of a systematic and widespread conduct, including deprivation of freedoms and universal human rights, torture, enforced disappearance, and violation of the right to life of Mazen and Patrick Dabbagh.
 - Committing a war crime through extortion and infringement on the property rights of the Dabbagh family in Damascus, including confiscation and seizure, following the imprisonment, torture, enforced disappearance, and death of Mazen Dabbagh, a civilian protected under international law.
- **Sentencing the three accused to life imprisonment.**
- The arrest and summons warrants issued by the Investigating Judge against them remain in effect.
- The three were convicted and sentenced in absentia; they are to be notified of the decision and may appeal the judgment.
- The consideration of compensation for the victims' damages is referred to a civil court, with a date to be set for its session.



Excerpts from the Public Prosecution's Pleadings on the Fourth Day;

- We have a situation involving tens of thousands of forcibly disappeared individuals. Mazen and Patrick Dabbagh are among them; they hold dual nationality, and French laws allow for their case to be considered. From 2018 to 2022, we completed search procedures. Relations between France and Syria are suspended; we have an ambassador at UNESCO who assisted us with correspondence. The Syrian Minister of Defense and the head of the regime are wanted abroad for crimes of murder, kidnapping, and widespread arbitrary detention of Syrian citizens. It is inconceivable that those who committed all these crimes remain unpunished. Ali Mamlouk, Jamil Hassan, and Abdel Salam Mahmoud were notified via international mail, especially Abdel Salam Mahmoud, who was residing in the Dabbagh house. Then we sent arrest warrants issued by the French judiciary. Canada, the Netherlands, and other countries also sent notifications. The regime does not respond, showing disdain for the judiciary and justice. They could have appointed a lawyer, which would cost them nothing. Our law does not allow us to appoint a lawyer for them without their acceptance and cooperation. The trial is in absentia, but its decisions are binding. The crimes continue, and they must be held accountable.
- I commend the civil party, Hanan Dabbagh and her husband, for their courage despite the regime's threat of retaliation. The grandmother passed away in 2019 without knowing about the death of her son and grandson. Mazen Darwish, in his extensive testimony, stated that Syrians lived in terror and that Mazen and Patrick were victims of the same perpetrators.



- **None of them enjoys immunity**, such as the President, Speaker of Parliament, or Prime Minister. State immunity is granted to those who represent state sovereignty. There is no immunity for the profession or rank, and international immunity is not absolute; it applies during the term of office. The crimes committed against Mazen and Patrick Dabbagh are crimes against humanity. Multiple elements and evidence confirm this, and the reason is the continued power of Bashar al-Assad. International law stipulates that all states must refrain from granting immunity to those who commit large-scale crimes. International laws and agreements remind us that there is no immunity for crimes committed against individuals who do not pose a threat to state sovereignty. Our call is based on international law; therefore, the accused do not enjoy any immunity. They are state employees and can be prosecuted. International law prosecutes perpetrators of crimes against humanity and strips them of immunity. Thus, international law does not grant any immunity to those who commit crimes against humanity, especially if they are widespread and prolonged. Victims have the right to seek their rights from the court.
- Four points: 1- Hafez al-Assad came to power through a military coup during which he used violence and committed massacres in Hama and Tadmor prison, thus ruling with absolute violence. 2- Power transitioned from the Baath Party to the intelligence services. 3- The arrival of Bashar al-Assad gave hope, but it quickly faded. 4- Bashar al-Assad systematically carried out arbitrary detention, torture, and enforced disappearance, within which Mazen and Patrick were arrested.



- Three witnesses confirmed that the Air Force Intelligence arrested Patrick and Mazen in the Al-MazzeH investigation branch. At 12 o'clock, they arrested Patrick, searched the house, and took money from it. The next day, they came and arrested Mazen. We received from Mazen what he said to his brother-in-law: 'I am suffocating, get me out of the cell.' According to the death certificates, Patrick died in 2014 and Mazen in 2017, with no cause of death stated in the certificates.
- They evicted Mazen Dabbagh's wife and daughter from their home, sentenced them in a military court, and based on that, confiscated their properties. The Ministry of Finance was notified to enforce it. According to real estate interests, 'The intelligence has the right to benefit from the housing for a fee,' and based on that, they made a four-year contract for a nominal amount to the state.

I Demand:

1. Characterization of the Actions Committed as Crimes Against Humanity
These include torture, enforced disappearance, and violation of the right to life.
 2. Life Imprisonment for the Three Accused.
- **Premeditation is evident in these crimes.** The manner of the arrests was planned, and the arrest of Mazen and Patrick was part of a comprehensive and systematic practice against detainees. The violence is organized, systematic, and widespread, as confirmed by the Caesar photos and



witness testimonies. The International Court of Justice stipulates that these acts are international crimes if committed against a large number of citizens in a general and systematic manner, thus qualifying as crimes against humanity. According to the International Court of Justice, torture in Syria is generally practiced against civilians. The definition used by the Rwanda Court for civilians was cited, with Ziad Majed's testimony indicating that hundreds of thousands were detained and killed, and they were civilians.

- **Crimes Committed;**

- **Torture;** It is widespread and systematic. The United Nations has stated that violence in Syria is systematically perpetrated; SEGA described it as crimes against humanity because the victims were civilians who participated in peaceful demonstrations, and the intelligence services arrest them because they are opponents. Repression is perpetrated by the Ministry of Interior, the Ministry of Defense, and intelligence agencies; all opposition activists and civil society members are wanted by the regime. The period from 2013 to 2017, covered by the prosecution, begins from the moment of Dabbagh's arrest, extorting the family and taking money unlawfully. According to international law, torture is both physical and mental. A defected officer described the torture methods in this branch; Mazen and Patrick were victims of torture.
- **Arbitrary Detention;** We explored the possible reasons for the arrest, such as Patrick's participation in demonstrations or his



assistance to Palestinians, and the possibility that Mazen said something against the regime. All these are speculations, and it is doubtful we can know the reason, highlighting the randomness of the regime's arrests, often without cause. They were deprived of their liberty, and it is unknown if they met a judge or lawyer.

- **Enforced Disappearance;** Defined as when Syrian intelligence personnel acted under state orders. The international community pressured the regime to announce death lists, with pressure from the regime's friends, leading the regime to issue death certificates dated 2014 and 2018 for Patrick and Mazen.
- **Confiscation of the House;** The Syrian regime turned the peaceful movement into an armed conflict. UN reports show how the conflict transformed from peaceful to armed. Court decisions in Syria lack justice; the confiscation ruling shows the way judgments are made in Syria, with courts acting as the security services wish. State institutions are entirely subordinate to the security services.
- **Violation of the Right to Life;**
- **Responsibility of the Three Accused for Crimes Against Humanity and Crimes Committed Against Mazen and Patrick;**
 - **Testimonies of the Dabbagh Family and Other Witnesses:** Mazen Darwish testified that a survivor told him he met Patrick in Al-Mazzeah prison in 2013. Several elements in the documents confirm this.



- **Ali Mamlouk:** Head of the National Security Bureau. Mazen Darwish confirmed he was head of this bureau at the time, and newspaper reports indicated he visited Egypt in this capacity, meaning he supervised the security services at that time. He coordinated between the President and security agencies and, according to the documents, knew about all the crimes committed. He is complicit in crimes against humanity, allowing arbitrary arrests, torture, enforced disappearance, and war crimes, including property seizure. The Air Force Intelligence operates under his command.
- **Jamil Hassan:** There were reports of his removal in 2019. According to witnesses and documents, during his tenure, he was aware of the violations and issued orders for their commission.
- **Abdel Salam Mahmoud:** He supervised torture crimes, which were executed under his orders. He is accused of crimes against humanity and war crimes.
- **Crimes Committed Against Mazen and Patrick Dabbagh:** These are not isolated incidents but part of a systematic, organized, widespread, and methodical series of actions.
- **The Perpetrators' Disregard for Punishment:** There is a belief among the perpetrators that they will not be held accountable.
- **Mazen and Patrick are Victims of Very Serious Acts:** Witnesses' information and documents show that those who committed crimes against detainees acted on orders from the regime.



My Demands;

- Life Imprisonment for the Three Accused, Ali Mamlouk, Jamil Hassan, and Abdel Salam Mahmoud.
- Continuation of the International Arrest Warrants.
- Dissemination of the Order to All International Justice Centers.

Excerpts from Clemence's plea / lawyer for the civil parties, on the 4 day;

- The Assad regime always operates outside the law and despises its victims. Today, you are here to judge the executioners who killed them and stole their belongings, committing war crimes and crimes against humanity against them. In Syria, the regime tortures them because they demand their rights. They are now before you, awaiting French justice. The Dabbagh family has sought information from all institutions in the French state to know any information about their sons. They have contacted the French President, the Ministry of Foreign Affairs, Interior Ministry, and the Red Cross until they reached you today for justice.
- We have five pieces of evidence and two witnesses: death certificates, confiscation orders, a testimony from Mazen's sister-in-law, and Naji's testimony about Patrick in detention. Mazen's daughter told the investigating judge that her father and brother were arrested by the Air Intelligence.



1. Charge of enforced disappearance, punishable under French law. In Latin America, they said it should be met with the intelligence of justice officials. Enforced disappearance is a crime against family, relatives, and community under international law. Despite the investigation efforts, the reason for their arrest is still unknown because the Syrian regime has hidden them and refuses to provide any information about them.
2. Charge of torture. Mazen's brother-in-law, Patrick, witnessed signs of torture on him. Mazen told him, "Get me out of here, I'm suffocating." The systematic method of dealing with detainees is deliberate. The regime leaks a lot of photos, videos, and news to scare people abroad. They must be tried internationally. The torture methods are consistent in all testimonies: hanging, ghosting, sleep deprivation, denying bathroom access, rape of women and men, threatening, torturing children in front of their parents, brutal beating, overcrowding, denying food and sleep, spreading diseases, amputations, withholding medical treatment, and torture sessions are more frequent. Description of the old and new Mazza prison, where 15,000 people are tortured. Mazen and Patrick were tortured there.
3. Charge of murder. Ali Mamlouk, Jameel Hassan, and Abdul Salam Mahmoud committed murder. In a geopolitical context according to the United Nations report, Russia and Iran pressured the regime to issue death notifications. They wanted to show Assad as victorious, so the regime issued death certificates for tens of thousands. The context shows that Mazen and Patrick were in Syrian prisons. Syrian Center for Media and Freedom of Expression 100 death certificates



and confirmed their authenticity. Some on social media questioned other documents but without confirmation. What the center examined was confirmed, including Mazen and Patrick's certificates. Despite their deaths, it is the family's right to know their graves. Bashar al-Assad killed Patrick and Mazen, and these charges are not isolated acts but systematic crimes against the Syrian people by a mafia-like regime, criminal before 2011 and more so after 2011.

4. Confiscation of detainees' private property. Raya and Hifa, Mazen's daughter and wife, were expelled from their home and not allowed to take their personal belongings. They tried again to enter their house, but the authorities took them to the police station and forced them to pledge. An official document reached the investigating judge about the confiscation of the house for the Syrian Arab Republic's benefit, where Abdul Salam Mahmoud lived. When they requested a property registration statement, the Ministry of Finance seized the house. We have a second document from the intelligence including a confiscation decision. This indicates theft, property violation, official institution participation, including confiscation, and the criminal Abdul Salam Mahmoud residing in the house according to information about 8 neighbors.
- The importance of today's ruling is a step towards the future, in exposing what is happening. The accused are not just these three; there is a hierarchy of many. We are here to judge these individuals and later move towards transitional justice. The crimes were committed based on orders, and the Syrian people demand the condemnation and punishment of the criminals who gave these orders.



- Jameel Hassan, as mentioned by everyone who survived Air Intelligence, Siega and IIM said he was always with this device, close to Bashar al-Assad. On Sputnik, he stated citing Hama's experience and said they repeat it. His individual responsibility is confirmed. He himself continuously goes to Mazza and watches torture. Abdul Salam Mahmoud sent someone with a list of 200 detainees from Daraa for brokerage, and this person took 15,000 euros from the family for Mazen and Patrick.
- The ruling for the Dabbagh family means truth, war crimes, and crimes against humanity committed, meaning the responsibility of the Syrian regime.
- Trials in Rwanda, Cambodia, and the Khmer Rouge set precedents for us, and this ruling must be a good example for confronting crimes against humanity, torture, enforced disappearance, war crimes, looting, and robbery, by convicting the three accused.

Excerpts from Boudan's plea / lawyer for the second civil parties, on the 4 day;

- Reference to the case of a Mauritanian officer who was convicted while on duty in France for torture (less than what happens in Syria). The officer was arrested during his visit to France but escaped, and his lawyer continued to defend him, arguing in his plea that he had been tried in Mauritania. This posed a challenge, but the French judiciary confronted it by sentencing him.



- In 2012, we faced a challenge in finding a party capable of adjudicating international crimes. France subsequently enacted legislation allowing this provided the accused is present in France.
- The challenge before us today is that the accused are not present, but we are in France. We are currently conducting investigations in the Congo case, where its leader killed 300 people. I have worked on other investigations into torture cases, and none are as horrifying as those committed in Syria. Assad's regime legitimizes impunity, with the destruction of memory being a goal by describing opponents as terrorists.
- It is distressing that the three are not in the dock. They have the courage to torture people but lack the courage to take responsibility for it.
- I commend the perseverance of non-governmental organizations and agree with what Mazen Dabbagh and Mazen Drouish said: they are here not for revenge but for justice, for all victims and not just for the Dabbagh family. Mazen Drouish told us he considers himself lucky despite all the torture and disappearances he endured because he is here, unlike those who remain there.
- Our demand is not only to convict the three accused but also to convict those supervising them.



Conclusions

The judgment decision, beyond its symbolic value, holds practical significance in legal, political, and public domains. From MIZAN's perspective, we summarize its key implications as follows:

1. The judgment is absentia but binding. The validity of procedures and the strength of evidence underpinning the judgment ensure its non-transgression in case of retrial. Retrial would occur if the accused surrender or are apprehended, though this is unlikely in the near term but not impossible in the future.
2. According to national and international legal principles, there can be no conviction without trial. The accused are presumed innocent until proven guilty. Despite a strong conviction of the Assad regime's involvement in ongoing atrocities, international reports continue to cautiously describe their actions as potentially constituting war crimes and crimes against humanity. This judicial ruling provides legal grounds to label them as criminals, influencing media, correspondences, and international reports, confirming their commission of war crimes and crimes against humanity rather than merely suggesting it.
3. The condemnation for these international crimes indirectly implicates not only the three officials but also the leadership and other figures of the Assad regime. Court documents and testimonies reaffirm that the war crimes and crimes against humanity committed by the three were part of systematic, vertical, and horizontal instructions within the regime's institutional framework, including the president, security apparatus, army, and exceptional judiciary. This confirms the involvement of all these entities in war crimes and crimes against humanity, as stated in the judgment that they were committed as part of a widespread and systematic policy against protected civilians under international law.



4. The court's decision to maintain the arrest warrant issued by the investigating judge and to disseminate the court's judgment and pursuit through all INTERPOL centers globally obstructs the movement of the three criminals, including Ali Mamlouk, the architect of normalization, who has previously freely traveled between multiple capitals worldwide.
5. The prosecution's argument regarding immunity establishes a precedent that removes immunity for presidents involved in committing war crimes and crimes against humanity under international law. This paves the way for further judicial rulings to enforce this precedent.
6. The judgment impedes normalization paths and provides an opportunity to appeal to the European courts for oversight of policies and projects involving eight European countries, countering claims of a safe zone in Syria for refugee returnees. UN testimony confirms ongoing crimes without change in detention, disappearance, and torture methods.
7. The judgment gives hope to victims for justice, encouraging further action in European courts for accountability, fostering more confidence and cooperation among Syrian human rights organizations and figures.
8. Referring compensation to victims to a civil court, as per the court's decision, opens broad avenues for addressing violations of housing and property rights in Syria, exploring new mechanisms to fairly compensate victims' families and serving as a precedent for other victims.
9. Judicial documents hold evidentiary strength, preserving memory and ensuring the truth is not lost, confirming the regime's narrative falsifications and its supporters.



Recommendations

1. Civil parties should continue pursuing compensation claims, considering the possibility of freezing Syrian assets to secure judgment enforcement, expanding the concept of damages from homes and assets to all material and moral damages incurred by families, setting a precedent for other victims.
2. Consider the prosecution's argument as a crucial legal document affirming that presidential immunity does not cover involvement in crimes against humanity under international law. Utilize this precedent to demand the removal of immunity for Bashar al-Assad in other lawsuits.
3. Explore the possibility of initiating a new lawsuit against Maher al-Assad, based on witness testimony of close collaboration between the Fourth Division and the investigation branch in Mazzeh, including the transfer of detainees and their continued disappearance, torture, and humiliation.
4. Collaborate with European organizations and parliaments to enact legislation allowing equal access to judicial recourse in similar cases between citizens and residents systematically.
5. Syrian opposition institutions should focus on the court's decision in their political messages and meetings to counter normalization pathways.
6. Encourage Syrians in refugee countries to collaborate with Syrian human rights organizations in European countries to share evidence and information that open avenues for legal actions on their behalf.
7. Continue efforts to develop national and international mechanisms to combat impunity, including national legislation and an international convention to establish a special court for justice in Syria, urging member states of existing agreements to file new cases at the International Court of Justice for breach of the regime's treaty obligations, particularly the Chemical Weapons Convention.

